

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New MexicoUnited States of America
v.

David MUNOZ-Merino

Defendant(s)

Case No: 20-1253 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of June 25, 2020 in the county of Luna in the State and District of New Mexico, the defendant violated 8 U.S.C. §1326(a)(1)(b)(2)(Re-Entry After Deport Agg Felon), an offense described as follows:

an alien, who had been previously arrested and deported from the United States, subsequent to being convicted of an aggravated felony, to wit: PURCHASE, POSSESSION, MANUFACTURE, DISTRIBUTION, OR SALE OF MARIJUANA, and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, being willfully in the United States unlawfully.

This criminal complaint is based on these facts:

On June 25, 2020 the defendant was encountered and arrested by Border Patrol Agents in Luna County, New Mexico. At the time of his arrest, the defendant admitted that he was a citizen of Mexico and had illegally entered the United States from Mexico at a place not designated as a lawful port of entry. The defendant also admitted that he did not possess any immigration documents that would allow him to be or remain in the United States legally. Criminal records indicate that the defendant was convicted of PURCHASE, POSSESSION, MANUFACTURE, DISTRIBUTION, OR SALE OF MARIJUANA on or about March 6, 2006. Immigration records indicate that the defendant was subsequently deported on or about August 16, 2007. Immigration records do not indicate that the defendant has ever applied for, nor received the consent of the appropriate authority of the United States to re-apply for admission into the United States.

☐ Continued on the attached sheet.

Telephonically

Sworn to before me and signed in my presence.

Date: June 27, 2020

City and state: Las Cruces, N.M.



Complainant's signature

Armando Esparza, Agent

Printed name and title



KEVIN R. SWEAZE

U.S. MAGISTRATE JUDGE

Printed name and title